



UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
Tobacco Section

PROCEDURE FOR 1939
FLUE-CURED TOBACCO QUOTAS

PART 1 - GENERAL

Sec. 1. Definitions -- As used in this procedure and in all instructions, forms, and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them, unless the context or subject matter otherwise requires.

- (a) ACT means the Agricultural Adjustment Act of 1938 and any amendments thereto.
- (b) COMMITTEE means a committee within a county or community utilized under the Agricultural Adjustment Act of 1938. "County committee", "community committee", or "local committee" shall have corresponding meanings in the connection in which they are used.
- (c) DIVERSION means the normal production of the acres on the farm diverted from the production of tobacco under agricultural adjustment or conservation programs.
- (d) FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:
 - (i) Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land) the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crop on any of the land to be included in the farm, which request and agreement shall be applicable to the designation of the land included in such farm both under the Agricultural Conservation Program and under the flue-cured tobacco quota procedure for 1939;

- (ii) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops; Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that all of such land is customarily regarded in the community as constituting one farm. A farm shall be regarded as located in the county or the local administrative area within the county, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or local administrative area, as the case may be, in which the major portion of the farm is located.
- (e) **MARKETING YEAR** means the period beginning with the 1st day of July in one year and ending with the 30th day of June in the next calendar year. 1938-39 marketing year and 1939-40 marketing year mean the marketing years beginning in the calendar years 1938 and 1939, respectively.
- (f) **NEW FARM** means a farm on which tobacco is produced in the year 1939 and on which tobacco was not produced in any of the years 1935, 1936, 1937 or 1938.
- (g) **OLD FARM** means a farm on which tobacco is produced in the year 1939 and on which tobacco was also produced in one or more of the years 1935, 1936, 1937 and 1938.
- (h) **QUOTA** means the farm marketing quota established pursuant to Section 313 of the Act. 1938 quota and 1939 quota mean the quotas established for a farm for the 1938-39 marketing year and the 1939-40 marketing year, respectively.
- (i) **STATE COMMITTEE** means the persons designated within any State to assist in the administration of the Act in the State.
- (j) **THREE YEAR AVERAGE** means the average tobacco production and diversion for the farm during the years 1936, 1937, and 1938.
- (k) **TOBACCO** means tobacco classified in Service and Regulatory Announcement Numbered 118 of the Bureau of Agricultural Economics of the United States Department of Agriculture, as types 11, 12, 13, and 14 and collectively known as flue-cured tobacco.

Sec. 2. Gender and Number of Terms. Any term used in the masculine gender or in the singular number shall also be construed or applied in the feminine or neuter gender, or in the plural person, wherever the context or application of such term so requires.

Sec. 3. Instructions and Forms. The Administrator of the Agricultural Adjustment Administration of the United States Department of Agriculture shall cause to be prepared and issued with his approval such instructions and such forms as may be necessary or expedient for carrying out this procedure for determining farm quotas.

Part II - ESTABLISHMENT OF PRELIMINARY QUOTAS

Sec. 1. Preliminary Quotas. Preliminary 1939 quotas shall be established, as provided in this procedure, for all farms for which 1938 quotas were established. If the national marketing quota is effective for the 1939-40 marketing year, the preliminary quota established for a farm shall, subject to adjustment as provided below, be the farm's 1939 quota.

- (a) If the preliminary quota exceeds the number of pounds obtained by multiplying 110 percent of the farm's 1939 tobacco acreage by the farm yield, the farm's quota shall be the number of pounds obtained by multiplying 110 percent of the farm's 1939 tobacco acreage by the farm yield.
- (b) If there is any material change in the farming operations with respect to land, labor and equipment available for the production of tobacco on the farm in 1939 as compared with such factors in 1938, and such change was not given consideration in the establishment of the preliminary quota, the farm's quota shall be the preliminary quota adjusted to take such change into account.
- (c) Notwithstanding the provisions of (a) and (b) above the quota for any farm on which tobacco is produced in 1939 shall not be less than the smaller of 3200 pounds or the farm's three year average; provided that a farm shall consist of all farm land in the county (including separate tracts of land which are being operated in conjunction with each other) which, under the definition of farm, can be construed to constitute a single farm.

No preliminary quota shall be established for any farm for which a 1938 quota was not established. Quotas for such farms shall be established in accordance with such procedure as the Secretary of Agriculture may hereafter prescribe.

Sec. 2. Determination of Preliminary Quota. The preliminary quota for a farm shall be determined in accordance with the provisions of Sec. 4, from the "committee adjusted quota". The committee adjusted quota for the farm shall be determined in accordance with the provisions of Sec. 3.

Sec. 3. Determination of Committee Adjusted Quota. The committee adjusted quota for a farm shall be determined by adjustment of the 1938 quota (prior to any adjustment thereof by a review committee) for the farm as provided below.

- (a) Adjustment of data and farm yield. If the committee finds that the data used in computing the 1938 quota required adjustment or that the farm yield used in computing the 1938 quota was not a normal yield for the farm, the 1938 quota established for the farm shall be adjusted so as to equal the number of pounds which would have been computed for the farm as its 1938 quota upon the basis of the adjusted data and a farm yield which the committee finds is a normal yield for the farm. A normal farm yield shall be that yield which the committee determines could reasonably be obtained from the farm. In making the determination, the committee shall take into consideration the type of soil, topography and production facilities of the farm, the yields obtained on other farms in the locality, which are similar with respect to such factors, the yields obtained from the farm during years for which records indicating such yields acceptable to the committee are available, and the effect of flood, drought, hail, other abnormal weather conditions, fire, plant-bed and other diseases, upon the yields obtained from the farm in such years.
- (b) Adjustment for past marketings, etc. The committee shall adjust the 1938 quota if they find, upon consideration of the data used in computing the 1938 quota and other information available to them, that adjustment is necessary in order to take into adequate account past marketings of tobacco (including the estimated marketings from the farm during the 1938-39 marketing year), making due allowance for abnormal weather conditions, plant-bed and other diseases; land, labor, and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco; provided, that --
 - (i) The amount of the adjustment, in the case of a farm on which tobacco was produced in one or more of the four years 1934-37, shall not exceed 20 percent of the 1938 quota as adjusted pursuant to subsection (a) above;
 - (ii) The amount of the downward adjustment for any farm shall not exceed the amount by which the 1938 quota, as adjusted pursuant to subsection (a) above, exceeds the smaller of 3200 pounds or the three-year average for the farm.

- (c) The sum of the upward adjustments for all farms in the county shall not exceed the sum of the downward adjustments for all farms in the county, except with the approval of the State committee;
- (d) Statement of Reasons for Adjustment. Where the adjustment made pursuant to this Section 3 exceeds 10 percent of the 1938 quota, the committee shall make a brief explanatory statement in writing of the reasons why such adjustment is necessary in order to take into adequate account the factors required to be taken into consideration in making such adjustment.
- (e) Adjustments subject to approval by the State Committee. All adjustments made by the committee pursuant to this Section 3 shall be subject to approval by the State committee

Sec. 4. Determination of Preliminary Quota from Committee Adjusted Quota.

- (a) To any farm which has a committee adjusted quota equal to the smaller of 3200 pounds or the farm's three-year average, such quota will be assigned as its preliminary quota.
- (b) The total of the preliminary quotas assigned pursuant to subsection (a) shall be deducted from an amount equal to 99 percent of the State marketing quota, to determine the balance of quota available.
- (c) The total of the committee adjusted quotas for all farms to which preliminary quotas have not been assigned pursuant to subsection (a) shall be reduced to an amount equal to the balance of quota available, determined pursuant to subsection (b). This reduction will be made by reducing the committee adjusted quotas for all farms, to which a preliminary quota has not been assigned, by the percentage which the balance of quota available is of the total of such committee adjusted quotas. The amount of the committee adjusted quota for each such farm as so reduced shall be the farm's preliminary quota; provided that if the preliminary quota so determined for any farm is less than the smaller of 3200 pounds or the farm's three year average, the amount of the preliminary quota shall be increased by an amount sufficient to provide for such farm a preliminary quota equal to the smaller of 3200 pounds or the farm's three year average.

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AGRICULTURAL ADJUSTMENT ADMINISTRATION
Tobacco Section

Washington, D. C.

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- (c) DIVERSION means the normal production of the acres on the farm diverted from the production of tobacco under agricultural adjustment or conservation programs.
- (d) FARM means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:
 - (i) Any other adjacent or nearby farm land operated by the same person (as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land) the inclusion of which is requested or agreed to, within the time and in the manner specified by the Agricultural Adjustment Administration, by the operator and all the owners who are entitled to share in the proceeds of the crop on any of the land to be included in the farm, which request and agreement shall be applicable to the designation of the land included in such farm both under the Agricultural Conservation Program and under the flue-cured tobacco quota procedure for 1939;
 - (ii) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops;
Provided, That land not under the same ownership shall be included in the same farm only if the county committee determines that all of such land is customarily regarded in the community

as constituting one farm. A farm shall be regarded as located in the county or the local administrative area within the county, as the case may be, in which the principal dwelling is situated, or if there is no dwelling thereon, it shall be regarded as located in the county or local administrative area, as the case may be, in which the major portion of the farm is located.

- (e) **MARKETING YEAR** means the period beginning with the 1st day of July in one year and ending with the 30th day of June in the next calendar year. 1938-39 marketing year and 1939-40 marketing year mean the marketing years beginning in the calendar years 1938 and 1939, respectively.
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- (i) **STATE COMMITTEE** means the persons designated within any State to assist in the administration of the Act in the State.
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Sec. 1. Preliminary Quotas. Preliminary 1939 quotas shall be established, as provided in this procedure, for all farms for which 1938 quotas were established. No preliminary quota shall be established for any farm for which a 1938 quota was not established. Quotas for such farms shall be established in accordance with such procedure as the Secretary of Agriculture may hereafter prescribe.

Sec. 2. Determination of Preliminary Quota. The preliminary quota for a farm shall be determined, in accordance with the provisions of Section 4, from the "committee adjusted quota". The committee adjusted quota for the farm shall be determined in accordance with the provisions of Section 3.

Sec. 3. Determination of Committee Adjusted Quota. The committee adjusted quota for a farm shall be determined by adjustment of the 1938 quota (prior to any adjustment thereof by a review committee) for the farm as provided below.

- (a) Adjustment of data and farm yield. If the committee finds that the data used in computing the 1938 quota requires adjustment or that the farm yield used in computing the 1938 quota was not a normal yield for the farm, the 1938 quota established for the farm shall be adjusted so as to equal the number of pounds which would have been computed for the farm as its 1938 quota upon the basis of the adjusted data and a farm yield which the committee finds is a normal yield for the farm. A normal farm yield shall be that yield which the committee determines could reasonably be obtained from the farm. In making the determination, the committee shall take into consideration the type of soil, topography and production facilities of the farm, the yields obtained on other farms in the locality, which are similar with respect to such factors, the yields obtained from the farm during years for which records indicating such yields acceptable to the committee are available, and the effect of flood, drought, hail, other abnormal weather conditions, fire, plant-bod and other diseases, upon the yields obtained from the farm in such years.
- (b) Adjustment for Estimated 1938 Marketings. In order to take into account the estimated marketings from the farm during the 1938-39 marketing year, the 1938 quota, as adjusted pursuant to subsection (a) above, shall be adjusted upward if such marketings exceed the 1938 quota and downward if such marketings are less than the 1938 quota. The amount of the upward or downward adjustment, as the case may be, shall be 20 percent of the difference between such marketings and the 1938 quota.
- (c) Adjustment for past marketings, etc. The committee shall adjust the 1938 quota (as adjusted pursuant to subsections (a) and (b) above) if they find, upon consideration of the data used in computing the 1938 quota and other information available to them, that adjustment is necessary in order to take into adequate account past marketings of tobacco, making due allowance for abnormal weather conditions, plant-bod and other diseases; land, labor and equipment available for the production of tobacco; crop-rotation practices; and the soil and other physical factors affecting the production of tobacco.

- (d) Limit of Adjustment. The sum of the adjustments made, pursuant to subsections (b) and (c) of this section, for any farm shall not exceed 20 percent of the 1938 quota for the farm, as adjusted pursuant to subsection (a) of this section; provided that in the case of a farm on which tobacco was produced in 1938 and on which tobacco was not produced in any of the years 1934, 1935, 1936 or 1937, the sum of such adjustments may be greater if recommended by the community and county committee, and approved by the State committee, in order to provide a committee adjusted quota which will adequately take into account the land, labor and equipment available for the production of tobacco on the farm.
- (e) Minimum Quota. The committee adjusted quota shall in no case be less than the smaller of 3200 pounds or the three-year average for the farm.
- (f) Adjustments to Balance. The sum of the upward adjustments for all farms in the county shall not exceed the sum of the downward adjustments for all farms in the county, except with the approval of the State committee.
- (g) Statement of Reasons for Adjustment. Where the adjustment made pursuant to this Section 3 exceeds 10 percent of the 1938 quota, the committee shall make a brief explanatory statement in writing of the reasons why such adjustment is necessary in order to take into adequate account the factors required to be taken into consideration in making such adjustment.
- (h) Adjustments subject to Approval by the State Committee. All adjustments made by the committee pursuant to this Section 3 shall be subject to approval by the State committee.

Sec. 4. Determination of Preliminary Quota from Committee Adjusted Quota.

- (a) To any farm which has a committee adjusted quota equal to the smaller of 3200 pounds or the farm's three-year average, such quota will be assigned as its preliminary quota.
- (b) The total of the preliminary quotas assigned pursuant to subsection (a) above shall be deducted from an amount equal to 99 percent of the State marketing quota, to determine the balance of quota available.
- (c) The total of the committee adjusted quotas for all farms to which preliminary quotas have not been assigned pursuant to subsection (a) above shall be reduced to an amount equal to the balance of quota available, determined pursuant to subsection (b) above. This reduction will be made by reducing the committee adjusted quotas for all farms to which preliminary quotas have not been assigned, by the percentage which the balance of quota available is of the total of such committee adjusted quotas. The amount of the committee adjusted quota for each such farm as so reduced shall be the farm's preliminary quota; provided that if the preliminary quota so determined for any farm is less than the smaller of 3200 pounds or the farm's three-year average, the amount of the preliminary quota shall be increased by an amount sufficient to provide for such farm a preliminary quota equal to the smaller of 3200 pounds or the farm's three-year average.

Sec. 5. Final Quotas. If the national marketing quota is effective for the 1939-40 marketing year, the preliminary quota established for a farm shall be the final 1939 quota, subject to adjustment as follows:

If there is any material change for the farm in 1939 with respect to (a) past marketings, or (b) land, labor and equipment available for the production of tobacco, or (c) crop-rotation practices, or (d) the soil and other physical factors affecting the production of tobacco, as compared with such factors in 1938, and such change was not given consideration in the establishment of the preliminary quota, the farm's quota shall be the preliminary quota adjusted to take such change into account; provided that the farm's 1939 quota shall not exceed (except in the case of a farm which is entitled to a quota of the smaller of 3200 pounds or the farm's three-year average) the number of pounds obtained by multiplying 110 percent of the farm's 1939 tobacco acreage by the farm yield.

(S E A L)

Done at Washington, D. C., this
12th day of November , 1938.
Witness my hand and the seal of
the Department of Agriculture.

W. A. Wallace

Secretary of Agriculture.

1. The first part of the report is a general statement of the purpose and scope of the study. It is followed by a brief review of the literature on the subject.

2. The second part of the report is a description of the methods used in the study. This includes a discussion of the subjects, the instruments used, and the procedures followed. The third part of the report is a presentation of the results of the study. This includes a discussion of the data collected and the conclusions drawn from the data.

3. The fourth part of the report is a discussion of the implications of the study. This includes a discussion of the theoretical and practical implications of the findings. The fifth part of the report is a conclusion.

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Date: 10/10/11

4. The sixth part of the report is a list of references. This includes a list of the books, articles, and other sources used in the study. The seventh part of the report is an appendix. This includes a list of the tables, figures, and other materials used in the study. The eighth part of the report is a glossary. This includes a list of the terms used in the study and their definitions. The ninth part of the report is a bibliography. This includes a list of the books, articles, and other sources used in the study. The tenth part of the report is a list of figures. This includes a list of the figures used in the study and their descriptions. The eleventh part of the report is a list of tables. This includes a list of the tables used in the study and their descriptions. The twelfth part of the report is a list of appendices. This includes a list of the appendices used in the study and their descriptions. The thirteenth part of the report is a list of references. This includes a list of the books, articles, and other sources used in the study. The fourteenth part of the report is a list of figures. This includes a list of the figures used in the study and their descriptions. The fifteenth part of the report is a list of tables. This includes a list of the tables used in the study and their descriptions. The sixteenth part of the report is a list of appendices. This includes a list of the appendices used in the study and their descriptions. The seventeenth part of the report is a list of references. This includes a list of the books, articles, and other sources used in the study. The eighteenth part of the report is a list of figures. This includes a list of the figures used in the study and their descriptions. The nineteenth part of the report is a list of tables. This includes a list of the tables used in the study and their descriptions. The twentieth part of the report is a list of appendices. This includes a list of the appendices used in the study and their descriptions.